

REGULAR COUNCIL MEETING MAY 10, 2011

The regular meeting of the Council of the Town of Altavista was held in the Council Chambers of the Municipal Building, 510 Seventh Street on May 10, 2011 at 7:00 p.m.

1. Mayor Burgess called the meeting to order and presided.
2. Pastor John Franklin, Lambs United Methodist Church, gave the invocation.

Council members  
present:

Mr. J.R. Burgess  
Mr. Ronald Coleman  
Mrs. Beverley Dalton  
Mr. Charles Edwards  
Mr. Bill Ferguson  
Mr. Jay Higginbotham  
Mr. Michael Mattox

Also present:

Mr. J. Waverly Coggsdale, III, Town Manager  
Mr. Dan Witt, Assistant Town Manager  
Mrs. Tobie Shelton, Finance Director  
Chief Clay Hamilton, Police Department  
Deputy Chief Kenneth Walsh, Police Department  
Mr. John Tomlin, Public Works Director  
Mr. John Eller, Town Attorney

3. Mayor Burgess asked if there were any questions regarding the agenda.

A motion was made by Mr. Mattox, seconded by Mr. Edwards, to approve the agenda.

Motion carried:

VOTE:	Mr. J.R. Burgess	Yes
	Mr. Ronald Coleman	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Mike Mattox	Yes

4. Mayor Burgess asked if there were any questions regarding the minutes of the April 12, 2011 Town Council meeting.

A motion was made by Mr. Mattox, seconded by Mr. Coleman, that the minutes of the April 12, 2011 Town Council meeting be approved as presented.

Motion carried:

VOTE:	Mr. J.R. Burgess	Yes
	Mr. Ronald Coleman	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Mike Mattox	Yes

5. Financial Statements
6. Public Comment

Mayor Burgess asked if anyone not on the agenda would like to speak.

REGULAR COUNCIL MEETING MAY 10, 2011

Mrs. Carol Day, 1403 Bedford Avenue, addressed Council in regards to the Altavista Armory. Mrs. Day stated she is a member of the committee working on restoring and uses for the building. At a previous Council meeting, a Council member suggested the committee wait for a free estimate. Mrs. Day requested information on this matter.

Mr. Higginbotham stated Mr. Morris Law is consolidating all the information and this should be available at the June 14, 2011 Council meeting.

Mrs. Day asked that two of the Council members be separated as they distract the audience.

7. Special Items or Recognitions

8. Public Hearing

a. 2012 Budget and FY2012-2016 Capital Improvement Program

Mayor Burgess asked if the public hearing for the FY2012 Budget and FY2012-2016 Capital Improvement Program had been properly advertised. Mr. Coggsdale answered affirmatively.

Mayor Burgess opened the public hearing at 7:04 p.m.

Mr. Coggsdale gave Council a brief synopsis of the FY2012 Budget and FY2012-2016 Capital Improvement Program.

Mayor Burgess asked if anyone would like to comment on the proposed FY2012 Budget and FY2012-2016 Capital Improvement Program. No one came forward.

Mayor Burgess closed the meeting at 7:07 p.m.

Mr. Coggsdale added the personal property relief tax is 64 percent this year.

Mr. Higginbotham asked Council to consider dropping the real estate tax rate from \$0.165 to \$0.16 to make the revenue neutral for the citizens of Altavista.

A motion was made by Mr. Mattox, seconded by Mr. Coleman, that the Altavista Town Council set Tuesday, May 31<sup>st</sup> at 8:30 a.m. as a meeting to consider adoption of the proposed FY2012 Budget and FY2012-2016 Capital Improvement Program (CIP).

Motion carried:

VOTE:	Mr. J.R. Burgess	Yes
	Mr. Ronald Coleman	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Mike Mattox	Yes

9. Committees

a. Public Works Committee

No report.

b. Finance Committee

VDOT “Pittsylvania Avenue Project”

Mr. Coleman reported Staff has met with VDOT in regard to the proposed Pittsylvania Avenue/Main Street project and asked Mr. Coggsdale to update Council.

Mr. Coggsdale stated staff met with VDOT and the idea of the Town requesting the Pittsylvania Avenue Project become a “locally administered project” was brought up at the April 27<sup>th</sup> meeting. Staff asks that Council consider allowing staff to pursue this project as a “locally administered project” if indications show that it would be in the Town’s best interest. He noted staff will be meeting with VDOT again on May 23<sup>rd</sup> to discuss this project and would like to move forward with the efforts to make this a “locally administered project” at that meeting.

Mr. Mattox asked Public Works to look at the project and the feasibility, if needed, of moving forward with the original plans on the Pittsylvania Avenue intersection.

Mr. Coggsdale stated the original plan calls for millions of dollars. There is only \$720,000 so it would be years before anything could be done at that intersection.

Council was in consensus to support this effort.

CCUSA Water Bill

Mr. Coleman advised the Finance Committee reviewed the water bill from CCUSA that deals with a leaking valve in our system, which caused water to be put into our system creating an increased charge to the Town. This valve has been corrected. The Finance Committee recommends the Budget Amendment Ordinance be adopted in the amount of \$5,000 for this expense. This action will not increase the departmental budget.

A motion was made by Mr. Coleman, seconded by Mr. Edwards, that the Budget Amendment Ordinance in regard to the Water Department be approved as presented in the amount of \$5,000.

Motion carried:

VOTE:	Mr. J.R. Burgess	Yes
	Mr. Ronald Coleman	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Mike Mattox	Yes

BUDGET AMENDMENT

BE IT ORDAINED by the Town Council of Altavista, VA, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2011:

Section 1. To amend the General Fund, the expenditures are to be changed as follows:

<u>Acct</u>	<u>Increase</u>	<u>Decrease</u>
Water		
Water Purchases – Campbell Co. 050-5001-701.30-20	\$5,000	

REGULAR COUNCIL MEETING MAY 10, 2011

	<u>\$ 5,000</u>	<u>\$ -</u>
Water		
Maint. Service Contracts 050-5001-701.30-08		\$5,000
TOTAL:	<u>\$5,000</u>	<u>\$5,000</u>

Section 2. Copies of this budget amendment shall be furnished to the Clerk of the Town Council and to the Finance Director for their direction.

Adopted this 10<sup>th</sup> day of May, 2011.

Police Department Budget Amendment

Mr. Coleman stated the Finance Committee reviewed the information supporting a Budget Amendment Ordinance regarding an increase to the “Fuels & Lubricants” line item of the Police Department budget. The budget is currently \$20,000 with expenditures of just over \$18,000 at the end of March. Based on monthly usage and increased cost, the amendment request is \$5,000. He noted this action would not increase the departmental budget.

A motion was made by Mr. Coleman, seconded by Mr. Ferguson, that the Budget Amendment Ordinance in regard to the Police Department be approved as presented in the amount of \$5,000.

Motion carried:

VOTE:	Mr. J.R. Burgess	Yes
	Mr. Ronald Coleman	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Mike Mattox	Yes

BUDGET AMENDMENT

BE IT ORDAINED by the Town Council of Altavista, VA, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2011:

Section 1. To amend the General Fund, the expenditures are to be changed as follows:

<u>Acct</u>	<u>Increase</u>	<u>Decrease</u>
Public Safety		
Fuels & Lubricants 010-3101-501.60-06	\$5,000	
	<u>\$ 5,000</u>	<u>\$ -</u>
Public Safety		
Substance & Lodging 010-3101-501.50-24		\$2,800
Public Safety		
Conventions & Education 010-3101-501.50-26		\$2,200
TOTAL:	<u>\$5,000</u>	<u>\$5,000</u>

REGULAR COUNCIL MEETING MAY 10, 2011

Section 2. Copies of this budget amendment shall be furnished to the Clerk of the Town Council and to the Finance Director for their direction.

Adopted this 10<sup>th</sup> day of May, 2011.

Noise Ordinance

Mr. Coleman advised the Finance Committee would recommend Council conduct a first reading on the proposed amendments to Section 34-1 “Noise Ordinance” of the Town Code and schedule a public hearing for the June Council meeting.

A motion was made by Mr. Coleman, seconded by Mr. Mattox, to conduct a First Reading of the proposed amendments to Section 34-1 “Noise Ordinance” of the Town Code and schedule a public hearing for Tuesday, June 14<sup>th</sup> at 7:00 p.m.

Motion carried:

VOTE:	Mr. J.R. Burgess	Yes
	Mr. Ronald Coleman	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Mike Mattox	Yes

Mr. Edwards asked for an update on quotes for the utilities.

Mr. Coggsdale stated this information will be available at the June 14, 2011 Council meeting.

Water Bill Adjustment

Mr. Coggsdale referred to an item on the agenda regarding a request from a citizen for a water bill adjustment. He stated he has met with the citizen and has spoken to the Finance Committee. The citizen feels he does not owe the charges. Mr. Coggsdale noted Town policy has been followed in denying this adjustment.

Mayor Burgess stated he did not see how the Town could adjust more if the policy was followed.

Mrs. Dalton suggested the policy be reviewed by the Utility Committee.

c. Police Committee

No report.

d. Utility Committee

No report

e. Economic Development Committee

Mr. Edwards referred to a previous meeting in which Mr. Mark Younkin, Chairman of the AEDA, addressed Council with discussion of Council charging AEDA with the responsibility of economic development. There was a consensus but not a vote. Mr. Edwards offered a motion be made to charge AEDA with the responsibility of economic development.

A motion was made by Mr. Edwards, seconded by Mr. Mattox, to charge AEDA with the responsibility of economic development.

Motion carried:

VOTE:	Mr. J.R. Burgess	Yes
	Mr. Ronald Coleman	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Mike Mattox	Yes

10. Unfinished Business

- a. AEDA-Strategic Plan
- b. Rt. 29 Utility Feasibility Study

Mr. Coggsdale mentioned several months ago, Council conducted a work session regarding the Route 29 Utility Feasibility Study. This is a great tool that should be utilized by EDA as they move forward with a strategic plan process. This plan will be made available to the AEDA.

11. New Business

- a. Planning Commission Report-Zoning Ordinance Update

Mr. Jerry Barbee, Planning Commission Chairman, addressed Council regarding the zoning ordinance update. He advised the first public hearing was on the general zoning ordinance update and no one spoke in opposition and all the Planning Commission members voted in favor of approval. The Planning Commission, Steering Committee members, staff and consultant, Mr. Greg Baka, have worked on the current draft since January 2010. Since the start of the process over 14 meetings were held, including a public input session, combined meetings with the Steering Committee, and several called meetings. A public survey was conducted to gather opinions from the public also.

Mr. Mattox questioned if the new zoning ordinance would contain an enforcement mechanism.

Mr. Eller clarified there is an enforcement mechanism but no civil penalty only criminal.

Mr. Mattox asked if this should be addressed at this time.

Mr. Eller stated civil penalties have been discussed and Mr. Baka has a list of civil penalties that he presented. Mr. Eller felt it would be a good idea to add. The difference between the criminal and civil is the burden of proof. Both would be trialed in General District Court. In the criminal penalty, the case has to be proven beyond a reasonable doubt and in the civil; you need the standard of preponderate of evidence.

Mr. Coggsdale stated a work session will be held at a future date to work out any items Council deems necessary.

Mr. Barbee stated the last two public hearings covered rezoning of certain parcels as the result of changing the zoning map to correlate with the direction of the future land use map. M-1 was eliminated with the Planning Commission recommending this be zoned C-2. Mr. Turner Perrow and Mr. Charles Edwards requested their properties remain industrial and not changed to commercial. This was taken into consideration. The two parcels are located at the 1100 and 1300 blocks of Third Street. These two locations were changed to M for industrial. He reviewed with Council some of the rezoning decisions made by the Planning Commission.

12. a. Town Manager's Report

**VDOT Enhancement Project and Downtown Utility Replacement Project**

- Awaiting Bid Approval from VDOT
- Altavista on "Tentative" list for funding from VDOT in the amount of \$501,000.

**Community Development Block Grant**

- Façade Improvements
- Streetscape (Gateway Park)
  - Completed.
- Upper Story Housing
  - Work continues and should be wrapping up in the next month.
- Marketing
  - Way finding signage installed.
  - Kiosk installed

**Library Roof project**

- Contractor nearing completion on this project.

**WWTP Emergency Overflow Pond**

- Monitoring Well Sampling/Sludge sampling conducted.
- Sharing results with DEQ in regard to the Well Monitoring Samples.
- Consultant from Louisiana indicated that the samples they received at the University of Central Florida did not contain high concentrates. Have not determined if they should be used to test the feasibility of their remediation method.

Mr. Edwards questioned if the sample was used as a guide and if there were areas of higher concentration, what would be the outcome?

Mr. Coggsdale stated it is his reluctance that it might work on the lower concentrations, not sure about the higher concentrations.

Mr. Edwards suggested pulling two or three samples from various areas; with the approval of the consultant.

Mrs. Dalton suggested taking Mr. Edwards recommendation as a consensus and move forward with more samples if the consultant agrees there is a need.

b. Reports

- i. Departmental
- ii. Other

c. Other Items as Necessary

Mr. Coggsdale made Council aware of a letter being mailed to the industries in Town regarding water sampling based on new state regulations that the industry will need to conduct.

Mr. Coggsdale presented Council with a copy of the Tourism Plan and asked Council to consider scheduling a work session for May 24, 2011 at 5:30 p.m. to meet with Ms. Sandra Tanner, Virginia Tourism Cooperation.

REGULAR COUNCIL MEETING MAY 10, 2011

A motion was made by Mr. Ferguson, seconded by Mrs. Dalton, to schedule a work session for May 24, 2011 at 5:30 p.m. to meet with Ms. Sandra Tanner, Virginia Tourism Cooperation.

Motion carried:		
VOTE:	Mr. J.R. Burgess	Yes
	Mr. Ronald Coleman	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Mike Mattox	Yes

d. Informational Items

13. Matters from Town Council Members

14. Closed Session

Mayor Burgess asked if there was anything else to bring before Council.

The meeting was adjourned at 7:52 p.m.

\_\_\_\_\_  
J. R. Burgess, Mayor

\_\_\_\_\_  
J. Waverly Coggsdale, III, Clerk